



PATENT  
Docket No.: 36287-00600

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : COMAS et al.  
Serial No. : 09/894,476 Group Art Unit : 2161  
Filed : June 28, 2001 Examiner : TBA  
For : **SYSTEM AND METHOD FOR CHARACTERIZING AND  
SELECTING TECHNOLOGY TRANSITION OPTIONS**

INFORMATION DISCLOSURE STATEMENT

Box No Fee  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$240.00 is enclosed in payment of the fee.

☐ Charge the fee to Deposit Account No. 13-4500. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and

b. the attached petition requesting consideration of this Information Disclosure Statement; and

c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw

## Application From Issue;

b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.

c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

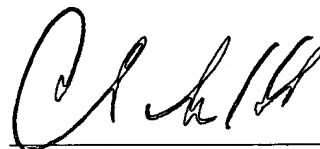
☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-3250. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-3250. Order No. 36287-00600. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MILBANK, TWEED, HADLEY & McCLOY LLP



Chris L. Holm  
Reg. No.: 39,227

December 19, 2001

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FORM PTO-1449 <b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)	ATTY. DOCKET NO. 36287-00600	SERIAL NO. 09/894,476
	APPLICANT COMAS et al.	
	FILING DATE June 28, 2001	GROUP ART. NO. 2161

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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,208,765	05/1993	Turnbull			
	5,406,477	04/1995	Harhen			
	5,835,758	11/1998	Nochur et al.			
	5,930,762	07/1999	Masch			
	5,991,743	11/1999	Irving et al.			
	6,044,354	03/2000	Asplen, Jr.			
	6,091,893	07/2000	Fintel et al.			
	6,112,188	08/2000	Hartnett			
	6,115,691	09/2000	Ulwick			
	6,125,351	09/2000	Kauffman			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Papers, Etc.)


**EXAMINER****DATE CONSIDERED**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**MILBANK, TWEED, HADLEY & McCLOY LLP**

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December 19, 2001

**ATTORNEY-CLIENT PRIVILEGE**

Andrew Cadel, Esq.  
J.P. Morgan Chase & Co.  
1 Chase Manhattan Plaza, 25th Fl.  
New York, NY 10005

Re: U.S. Patent Application Ser. No. 09/894,476, for *SYSTEM AND METHOD FOR CHARACTERIZING AND SELECTING TECHNOLOGY TRANSITION OPTIONS*  
File No. 36287-00600

Dear Andy:

Today we filed an Information Disclosure Statement (IDS) with the U.S. Patent and Trademark Office for the above-identified patent application. A copy of that transmittal is included for your files. We previously provided you with copies of the cited references, so we have not included copies with this letter. Please contact us if you should need another copy of any particular reference.

We will keep you informed of further developments as they occur.

Sincerely,

Chris L. Holm

Enclosures  
Copies to:

Christopher E. Chalsen, Esq. (w/o encl.)



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Docket No.: 36287-00605  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : COMAS et al.  
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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**

Box No Fee  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

I hereby certify that the attached:

1. Information Disclosure Statement;
2. Form 1449;
3. Copies of cited references; and
4. Return Receipt Postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner For Patents, Washington, D.C. 20231.

Dec 19, 2001

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Respectfully submitted,  
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